IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.173 OF 2006
IN
LAND ACQUISITION REFERENCE NO.6 OF 2003

The SLAO

versus

Ashok Jagannath Phatak & ors. Claimants

and

The Dy.Chief Engineer,
Metropolitan Transport Project (Railways) Acquiring Body

and

MMRDA Intervener

Shri P.G.Lad for SLAO..

Mr.Milind Jadhav with Mr.Luckyraj Indorkar i/by S.Satpute & Co. for claimants 1 and 2.

Ms.Kiran Bhagalia for intervener.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22nd March 2006

PC :

1. Heard Ms.Bhagalia appearing for intervener in support, Shri Jadhav for claimants 1 and 2 and Shri Lad appearing for SLAO.. Ms. Bhagalia states that in the affidavit in support, the

intervener MMRDA has made a statement that other claimants are tenants and are supporting interveners. She submits that service may be dispensed with in the light of this position.

2. All that this Chamber Summons seeks is permission to MMRDA to prosecute the claim which is made u/s 30 of the Land Acquisition Act, 1894. To this limited extent, Shri Jadhav and Shri Lad have no objection for the Chamber Summons being granted. The same is, therefore, granted in terms of prayer clauses (a) and (c). Amendment to be carried out within four weeks. After the amended reference is served on the intervener who are now to be added as claimants, they shall file necessary applications/claims in the Court within a period of six weeks from the date of amended reference. Needless to state that MMRDA is waiving notice in the reference.

(S.C.DHARMADHIKARI, J.)